



**ఆంధ్రప్రదేశ్ రాజ పత్రము**  
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**NOTIFICATIONS BY GOVERNMENT**

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**TRANSPORT, ROADS & BUILDINGS DEPARTMENT**  
**(TR.VIG)**

TRANSPORT DEPARTMENT - ALLEGATION OF POSSESSION OF DISPROPORTIONATE ASSETS TO THE KNOWN SOURCES OF INCOME AGAINST Sri J. BALA NAIK, THE THEN AMVI, INTEGRATED CHECK POST, PURUSHOTHAPURAM, ITCHAPURAM, SRIKAKULAM DISTRICT & MOTOR VEHICLE INSPECTOR (U/S) - PUNISHMENT OF "DISMISSAL FROM SERVICE" IMPOSED - REVISION PETITION FILED - EXAMINED - MODIFICATION OF PUNISHMENT OF "DISMISSAL FROM SERVICE" INTO "COMPULSORY RETIREMENT".

**[G.O.Ms.No.4, Transport, Roads & Buildings (TR.Vig), 8<sup>th</sup> February, 2022.]**

**Read the following :**

1. From the Director General, Anti Corruption Bureau, A.P., Hyderabad in Rc.No.186/RCA-CIU/2006, Dt.21.11.2006 & 01.12.2006.
2. From the Director General, Anti Corruption Bureau, A.P., Hyderabad in Rc.No.186/RCA-CIU/2006, Dt.29.01.2008.
3. Lr.No.13128/Vig.III/1/2006-14, T,R&B Dept., Dt.16.12.2008.
4. From the Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad, Dis.No.S/4/2016, Dt.11.04.2016.
5. Memo.No.13128/Vig.Tr(1)/2006-24, T,R&B(Vig.Tr) Department dt.23.09.2016.

6. From Sri Jarapala Bala Naik, Motor Vehicle Inspector (u/s), representation dt.01.12.2017.
7. G.O.Ms. No.44, T,R&B(TR.Vig) Department, dt.07.09.2018.
8. From Sri J. Bala Naik, MVI (u/d) revision petition dt.29.10.2018.

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**ORDER:**

Whereas in the reference 1<sup>st</sup> read above, it has brought to the notice of the Government, that a case was registered on 16.10.2006 in Cr.No.6/ACB-CIUHYD/2006 under Section 13(2) read with 13(1)(e) of Prevention of Corruption Act, 1988 against Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector (u/s) on the allegation that he acquired assets disproportionate to the known sources of income in his name and his family members.

2. And whereas, after careful examination of the final report of the Director General, Anti Corruption Bureau received in the reference 2<sup>nd</sup> read above, it was decided to place Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, before the TDP(Tribunal for Disciplinary Proceedings) for his defence to conduct an enquiry into the allegation of having acquired the assets disproportionate to his known sources of income, under Sec.4 of A.P.C.S (Disciplinary Proceedings Tribunal) Act, 1960 r/w Rule 3(1)(a) of A.P.C.S (Disciplinary Proceedings Tribunal) Rules, 1989, vide letter 3<sup>rd</sup> read above.

3. And whereas, the Tribunal for Disciplinary Proceedings has framed charge against Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, conducted enquiry and furnished its enquiry report vide reference 4<sup>th</sup> read above. The Secretary, Tribunal for Disciplinary Proceedings, A.P., in his report dt.04.04.2016 has found that the Accused Officer Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District & Motor Vehicle Inspector(u/s) was in possession of Disproportionate Assets worth Rs.22,17,751/-, after deducting the 20% margin amount of Rs.7,08,703/- from disproportionate assets of Rs.29,26,454/-. The II Member, Tribunal for Disciplinary Proceedings, has therefore held that the charge of possession of disproportionate assets is proved against the Charged Officer. The prosecution established that the Charged Officer violated Rule 3 of A.P. Civil Services Conduct Rules, 1964 r/w Rule 2(b) of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 and therefore the charge levelled against the Charged Officer has been proved by the prosecution.

4. And whereas, vide reference 5<sup>th</sup> read above, a copy of the Enquiry report of Tribunal for Disciplinary Proceedings was communicated to Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check

Post, Purushothapuram, Itchapuram, Srikakulam District & Motor Vehicle Inspector(under suspension), as required under Rule-6(2)(b) of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, directing him to submit his representation on the findings of the Tribunal for Disciplinary Proceedings. In reply the Charged Officer has submitted his explanation on the report of the Tribunal for Disciplinary Proceedings vide reference 6<sup>th</sup> read above.

5. And whereas, after examining in terms of the orders issued vide G.O.Ms.No.2, General Administration (Services-C) Department, dated 04.01.1999, Government have imposed the major penalty of "dismissal from service" on Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District & Motor Vehicle Inspector(under suspension) with immediate effect.

6. Sri J. Bala Naik, Ex-MVI (under dismissal from service) has made a revision petition dt.29.10.2018 in the reference 8<sup>th</sup> cited before the Government, stating among others that the Government have issued orders G.O.Ms.No.44, dt.07.09.2018 impose the punishment of dismissal from service, as his case does not fall under the purview of G.O.Ms.No.2, dt.04.01.1999. He has further submitted that the conviction in criminal case on a criminal charge (of correction), does not automatically result in dismissal from service. Hence he has requested to review the penalty imposed on him to reduce as per the Rules 40 and 41 of the A.P.C.S (C,C&A) Rules, 1991 and do justice to him as early as possible. He has also represented to National ST Commission.

7. Government, after careful examination of the revision petition of the individual and as per the advice of the Chairman, National ST Commission, have decided to take a lenient view on the harsh punishment given by the Government and have taken a decision to modify the punishment of "dismissal from service" imposed against Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District & Motor Vehicle Inspector (under dismissal from service) into "Compulsory retirement".

8. Now therefore, Government hereby modify the punishment of "dismissal from service" imposed vide G.O 7<sup>th</sup> read above against Sri J. Bala Naik, the then Assistant Motor Vehicle Inspector, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District (now Motor Vehicle Inspector under dismissal from service) into "Compulsory retirement".

9. The Transport Commissioner, Andhra Pradesh, Vijayawada shall take further necessary action in the matter accordingly and report compliance to the Government, immediately.

**M. T. KRISHNA BABU,**

*Principal Secretary to Government.*